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### **REMARKS**

Claims 1-6, 8, 9, 11-14, 17-26, and 28-33 remain pending in the present application. Claims 4 and 17-23 are indicated as having been withdrawn from prosecution at this time, pursuant to the Election of Species Requirement issued by the Examiner on April 22, 2003.

The claims are amended to more specifically describe the multiple component meltblown fibers claimed therein. The amendment to describe the second polymer component as a single polymer finds basis in original claim 7; at page 6, lines 28-29; and in the exemplary data of the present specification; and the amendment to specify various polyolefins useful in the first component polymer blend finds basis in the definition of polyolefins at page 3, lines 27-31. No new matter is added.

The amendments to the remaining claims are submitted to make them properly dependent upon their respective base claims, where applicable, or to revise the claim language to be in a more acceptable format.

### ***Election of Species Requirement***

Applicants respectfully submit that the withdrawal of claims 4 and 21-23 was improper, as those claims are properly dependent upon at least some claims which the Examiner has considered in the Office Action, and thus contain at least some elected subject matter.

Reconsideration of the Election of Species Requirement is respectfully requested, as Applicants believe the amendment and remarks *infra* overcome the outstanding rejections and establish the allowability of the elected subject matter.

### ***Nature of the Present Invention***

The present invention is directed to multiple component meltblown webs and composite sheets containing such meltblown webs, wherein the meltblown fibers are multiple component fibers, composed of at least two components. The first component is a blend of at least two non-elastomeric polymers which are selected from the group consisting of various specified polyolefins, polyesters, polyamides, polystyrene, fluoropolymers, olefinic ionomer resins, random co-polymers of ethylene and methacrylic acid, and random co-polymers of ethylene and vinyl acetate, and the second component is selected from a single polymer which is either a polyolefin or a polyester.

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**Rejection under 35 U.S.C. §102(b) over Shawyer et al.**

Claims 1-3, 5-14, and 24-33 stand rejected under 35 U.S.C. §102(b) as anticipated by Shawyer et al. (U.S. Patent no. 5,405,682). Applicants traverse this basis for rejection and respectfully request reconsideration and withdrawal thereof.

Shawyer et al. disclose nonwoven fabrics made with multicomponent polymeric strands including a blend of polyolefin and elastomeric thermoplastic materials (Title). At column 7, lines 3-26 (cited by the Examiner at page 3 of the outstanding Office Action), Shawyer et al. disclose suitable polymers for making their multicomponent strands, which are composed of a first component A and a second component B. The second component B is invariably composed of a blend of polyolefin and a thermoplastic elastomeric component (col. 7, lines 6-8). Component A is composed of polyolefin, but as recognized by the Examiner, can further comprise additional thermoplastic polymers such as polyesters or polyamides (col. 7, lines 5-13).

The Examiner suggests that the claims of the present invention are anticipated by Shawyer et al. when component A is formulated as a blend of the required polyolefin and another thermoplastic polymer, such as polyester. However, even in such case, component B of Shawyer et al. also comprises a blend, i.e. of a polyolefin and an elastomeric polymer, which is outside the scope of claims 1 and 24 of the present application.

According to the present claims, while the first component of the multiple component meltblown fibers is a blend of non-elastomeric polymers, the second component is a single polymer selected from only polyolefin or polyester, and thus is not anticipated by Shawyer et al., wherein both components A and B are polymer blends.

The presently claimed invention is further distinguished from Shawyer et al. because when component A of Shawyer et al. is a single polyolefin, component B comprises a blend containing an elastomeric polymer, which is outside the scope of the present claims.

Accordingly, Shawyer et al. cannot anticipate the present claims.

**Rejection under 35 U.S.C. §103(a) over Shawyer et al.  
in view of Newkirk et al.**

Claims 15 and 16 stand rejected under 35 U.S.C. §103(a) as obvious over Shawyer et al. in view of Newkirk et al. (U.S. Patent no. 6,417,121). Applicants traverse this basis for rejection and respectfully request reconsideration and withdrawal thereof. Applicants submit that the rejection is moot in view of the

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cancellation of claims 15 and 16 in the current amendment. However, Applicants will provide comments over the rejection for the Examiner's future consideration.

The distinctions drawn between the present claims and the disclosure of Shawyer et al. are reiterated from above.

Newkirk et al. disclose multicomponent fibers of at least two polymer components arranged in structured domains, wherein at least one of the polymer components is formed of a select blend of specific grades of polyethylene and polypropylene (col. 3, lines 17-20). Newkirk et al. disclose that the other structured polymer domains of the multicomponent fibers can be formed of polyolefins, polyamides, polyesters and the like (col. 11, lines 40-45).

At page 5 of the outstanding Office Action, the Examiner seems to suggest that it would have been obvious to substitute the non-elastic polymer blends of Newkirk et al.'s first polymer component for the elastomer-containing blend of component A of Shawyer et al.

Applicants respectfully submit that no such motivation to modify the invention of Shawyer et al. can be legitimately derived from the cited references, since such a modification would destroy the Shawyer et al. reference, which requires a blend of polyolefin and an elastomeric thermoplastic material as component B of their multicomponent polymeric strands. Thus, no *prima facie* case of obviousness as to the present claims can be established by the Examiner's proposed combination of the cited references.

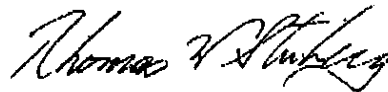
Withdrawal of the rejection and allowance of the claims is requested.

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In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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